

**UNITED STATES DISTRICT COURT**

Jury demand date: ~~6-12-11~~ 6-12-67 waived

[illegible]

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-22-67	Complaint, filed. x summons issued x	
6-30-67	Summons returned, filed - served George W. Owens, Registered agent, for Maneke-Kinzie Printing Co. at Tulsa, Oklahoma on 6-27-67; and served Robert Blackman, vice-president of Business Forms, Ltd., at Bartlesville, Oklahoma on 6-27-67. (Fee \$18.24) b	
7-17-67	Ordered by the Court that the defendants are granted 5 additional days within which to answer. (Luther Bohanon - Judge) b	
7-24-67	Motion to dismiss the first, third, fourth and fifth alternative causes of action and alternative motion for summary judgment on said causes of action, motion for a more definite statement and motion to strike, filed. g	
7-24-67	Statement of points and authorities, filed. g	
8-7-67	Affidavit of George Owens, filed. ds	
8-7-67	Hearing held on defendant Maneke-Kinzie Printing Company's motion to dismiss, etc. Jury trial waived, defendants granted 10 days from date to answer and ruling on motion to dismiss, etc., to be made at pre-trial. (Luther Bohanon - Judge) (Frank Sickles - CSR) b	
8-17-67	Motion of defendant, Maneke-Kinzie for enlargement of time, filed. b	
8-17-67	Statement of points and authorities of defendant Maneke-Kinzie, filed. b	
8-17-67	Order of 8-15-67 enlarging time until 30 days from 8-11-67 within which defendant Maneke-Kinzie Printing Company may answer, filed. (Luther Bohanon - Judge) b	
10-20-67	Order allowing defendant to file its answer, counterclaim and crossclaim out of time filed (Luther Bohanon-Judge) h	
10-20-67	Answer filed by defendant Maneke-Kinzie Printing Co. h	
11-10-67	Ordered by the Court that this case is set for pre-trial on Monday, December 11, 1967 at 1:30 P. M. (Luther Bohanon - Judge) b	
12-1-67	Deposition of George Owens, taken on behalf of plaintiff on 9-21-67 before Frank L. Peterson, CSR, filed. (\$50.40)g	
12-11-67	Case be re-set for pre-trial after the taking of depositions. Case to be set on jury assignment. (LB-J)h	
12-14-67	Reply to answer and answer to counterclaim, filed. ds	
3-5-68	Depositions of John P. Melson and Malcolm M. Preston, taken on behalf of defendants, before Frank L. Peterson, Reporter, on 2-14-68, filed. g (\$57.40)	
3-11-68	Ordered by the Court that this case is set for pre-trial and ruling on motion of Maneke-Kinzie Printing Company to dismiss and alternative motion for summary judgment and motion for a more definite statement and strike, on Monday, April 8, 1968 at 9:30 A. M. (Luther Bohanon-Judge) b	
4-8-68	Ordered by the Court that the motion of Maneke-Kinzie Printing Company to dismiss and alternative motion for summary judgment; and motion for a more definite statement and strike are each overruled; and case is stricken from the pre-trial assignment by agreement. (Luther Bohanon-Judge) (FS-CSR) b	
4-17-68	Deposition of Floyd G. Chamberlain on behalf of plaintiff taken before Lloyd J. Christesson, C.S.R. filed. h(\$51.00)	
4-18-68	Ordered by the Court that this case is set for pre-trial on Thursday, May 16, 1968 at 9:30 A. M. (Luther Bohanon - Judge) b	
5-16-68	Pre-trial hearing held, parties waive jury trial, plaintiff prepare pre-trial order; defendant granted 20 days to file trial brief and plaintiff 10 days to file answer brief. case to be set for non-jury trial docket. (Luther Bohanon - Judge) (FS-CSR)	
6-3-68	Deposition of Robert F. Blackman, taken on behalf of the defendants, on May 11, 1968, before Frank L. Peterson, CSR at Tulsa, filed. (Fee \$35.00) b	

(Continued)

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-6-68	Defendant Maneke-Kinzie's motion for summary judgment with brief, filed. ds	
6-19-68	Plaintiff's brief in opposition to motion for summary judgment of defendant Maneke-Kinzie's motion for summary judgment and pretrial memorandum, filed. b	
7-2-68	Hearing held on deft. Maneke- Kinzie's motion for summary judgment. Statements made. Deft. Maneke-Kinzie's motion for summary judgment is overruled. Ordered that pre-trial order be filed within 10 days, and case to be set on next non-jury docket. (LB-J) w	
7-26-68	Pre-trial order and statements of case, filed. (LB-J)	
7-31-68	Ordered that this case is set for non-jury trial on Monday, Aug. 26, 1968, at 9:30 A.M. (LB-J) ds	
8-16-68	Ordered by the Court that this case is stricken from the non-jury assignment of August 26, 1968. (LB-J) b	
8-20-68	Deposition of Judy David, taken on behalf of the defendants, before Frank L. Peterson, CSR, at Tulsa, Okla. filed. (\$36.40 pd by defendant)	
10-3-68	Case set for non-jury trial on Friday, October 11, at 9:30 A.M. before Luther Bohanon, Judge. ds	
10-11-68	Case called for trial. Plaintiff represented by F. D. Hettinger and defendant represented by R. Dobie Langenkamp. Defendant moves for directed verdict and Court overrules motion with right to reassert. Court orders parties to prepare suggested findings of fact and conclusions of law, based on the record, within 10 days. (LB-J) ds	
10-11-68	Case tried to the Court. Defendant moves for directed verdict and it is overruled with right to reassert. Court orders that parties prepare suggested findings of fact and conclusions of law, based on this record within 10 days. (LB-J) (FS-CSR) b	
10-11-68	Deposition of M. M. McCormick taken on 9-21-67, filed in open court. w	
10-21-68	Defendant Maneke-Kinzie's proposed findings of fact and conclusions of law, filed. js	
10-21-68	Plaintiff's proposed findings and conclusions, filed. b	
11-20-68	Findings of fact and conclusions of law, filed. m (LB-J) copies mailed	
11-20-68	Judgment, filed and entered, that plaintiff, Butler Paper Company have judgment in the amount of \$37,040.30 against Business Forms Limited, successor to Commerce Printing Co. together with interest from this date. That plaintiff recover nothing from Maneke-Kinzie Printing Co. That Maneke-Kinzie have judgment against Butler Paper Company for its cost. (LB-J) ds copies mailed to attorneys	
11-26-68	Motion for amendments and addition to findings and motion for new trial, filed. ds	
11-26-68	Brief in support of motion for amendments and addition to findings and motion for new trial, filed. ds	
12-2-68	Defendant Maneke-Kinzie's application for allowance of attorney's fees, filed. ds - mailed	
12-2-68	Memorandum of points and authorities in support of application for allowance of attorneys fees, filed. ds	
12-2-68	Bill of costs, filed. To be taxed 12-12-68 at 10:00 A.M. ds	
12-11-68	Brief in opposition to application for allowance of attorneys fees, filed. g (mailed)	
12-12-68	Costs taxed against the plaintiff in the sum of \$384.49. js	
12-17-68	Defendant Maneke-Kinzie's reply to plaintiff's motion for amendments and additions to the Findings of Fact and Conclusions of law, filed. brief attached. h	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
12-19-68	Hearing held on plaintiff's motion for amendments and addition to findings and motion for new trial; and on application of Maneke-Kinzie for allowance of attorney's fees. Motion for new trial is overruled and plaintiff to prepare amended findings of fact and submit them to the Court and prepare order overruling motion for new trial. Application of Maneke-Kinzie for allowance of attorney's fees, is denied. (LB-J (FS-CSR)m	
1-13-69	Notice of appeal by Burler Paper Company, filed. Copy mailed to Clerk, USCA and counsel. g	
1-13-69	Bond on appeal - \$250.00, The Travelers Indemnity Co. surety, filed. g	
1-14-69	Order supplementing findings of fact, overruling motion for new trial, and denying application for attorneys' fees, filed. (LB-J) g	
2-24-69	Order, extending time to March 1, 1969, in which to file and docket appeal, filed. (LB-J) copies mailed to counsel & to USCA. g	
2-28-69	Order extending time to April 10, 1969, in which to file and docket appeal, filed. (LB-J) copies mailed to counsel & to USCA. g	
4-7-69	Transcript of trial proceedings on October 11, 1968, filed. (FS-Rpt.)g	
5-14-70	Dismissal of plaintiff with prejudice, filed. ds	
5-18-70	Order of dismissal, with prejudice, at cost of plaintiff, filed and entered. (LB-J) ds <i>copy mailed</i>	
5-19-70	Mandate and Opinion of U. S. Court of Appeals, Tenth Circuit, reversing judgment of 11-20-68 and remanding with directions to proceed in a manner consistent with the opinion, filed and spread of record. g <i>(Opinion retained by Judge Bohannon)</i>	
12-12-84	DEPOSITIONS returned to counsel. hm	